

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

CAROLINA POWER & LIGHT COMPANY
d/b/a PROGRESS ENERGY CAROLINAS, INC.,

Plaintiff,

v.

3 M COMPANY, et al.,

Defendants.

5:08-CV-00460-FL

CONSOLIDATION COAL COMPANY,

Plaintiff,

v.

3 M COMPANY, et al.,

Defendants.

5:08-CV-00463-FL

**CONSENT ORDER AND STIPULATION REGARDING THE
COURT'S MARCH 24, 2010 ORDER**

THIS CAUSE came to be heard on the joint application of Plaintiffs and Defendants with respect to the application of this Court's March 24, 2010 Order (CP&L DE # 277; Consol DE # 305) dismissing Plaintiffs' § 107 claims as to certain Defendants.

In pertinent part, the Court's March 24 Order held as follows:

Concurring defendants' supplemental motion to dismiss plaintiffs' § 107 claim (CP&L DE # 266; Consol DE # 256) is GRANTED. Plaintiffs' claims are DISMISSED as to the concurring defendants only. Cross-claimant's § 107 claims are unaffected by this disposition.

March 24 Order, at 33.

The Court's March 24 Order with respect to the Plaintiffs' § 107 claim was made in response to a motion made by a limited number of defendants. Accordingly, the Order granting the motion was made with respect to only that limited number of defendants. The Plaintiffs and Defendants agree and stipulate that the Court's March 24 Order dismissing the Plaintiffs' § 107 claim as to that limited number of defendants is applicable as to all Defendants.

THEREFORE, IT IS HEREBY STIPULATED, AGREED AND ORDERED that Plaintiffs' § 107 claims as to the remaining defendants are DISMISSED for the reasons set forth in the Court's March 24 ORDER. Cross-claimant PCS Phosphate Company, Inc.'s § 107 claims are unaffected by this disposition.

IT IS FURTHER STIPULATED, AGREED AND ORDERED that Defendants' respective § 113(f) counterclaims asserted in response to the dismissed § 107(a) claims are hereby DISMISSED. Defendants' § 113(f) crossclaims in response to PCS Phosphate's § 107(a) and § 113(g)(2) claims are unaffected by this disposition.

It is further stipulated, agreed and ordered that Defendants' Motion to Strike Pursuant to Fed. R. Civ. P. 12(f) Count I of Plaintiff Carolina Power & Light Company d/b/a Progress Energy Carolinas, Inc.'s Consolidated and Third Amended Complaint (CP&L DE # 342; Consol DE # 348) is DENIED as MOOT.

SO ORDERED, THIS 8th DAY OF September, 2010.



LOUISE W. FLANAGAN
Chief United States District Court Judge

CONSENTED TO:

Counsel for Plaintiffs:

<p><u>/s/ Christopher G. Smith</u> CHRISTOPHER G. SMITH N.C. Bar No. 22767 CAROLINE N. BELK N.C. Bar No. 32574 SMITH, ANDERSON, BLOUNT, DORSETT, MITCHELL & JERNIGAN, LLP Post Office Box 2611 Raleigh, NC 27602-2611 Telephone: (919) 821-1220 Facsimile: (919) 821-6800 Email: csmith@smithlaw.com cbelk@smithlaw.com</p> <p>COUNSEL FOR PLAINTIFF CAROLINA POWER & LIGHT COMPANY d/b/a PROGRESS ENERGY CAROLINAS, INC.</p>	<p><u>/s/ J. Donald Cowan, Jr.</u> J. DONALD COWAN, JR. N.C. Bar No. 0968 ELLIS & WINTERS LLP 1100 Crescent Green Drive, Suite 200 Cary, NC 27518 Telephone: (919) 865-7000 Facsimile: (919) 865-7010 Email: don.cowan@elliswinters.com</p> <p><u>/s/ Jane Borthwick Story</u> MICHAEL H. GINSBERG Pa. Bar No. 43582 MARY BETH DEEMER Pa. Bar No. 41887 JANE BORTHWICK STORY Pa. Bar No. 205641 JONES DAY 500 Grant Street, Suite 4500 Pittsburg, PA 15219-2514 Telephone: (412) 391-3939 Facsimile: (412) 394-7959 Email: mhginsberg@jonesday.com mbdeemer@jonesday.com jbstory@jonesday.com</p> <p>COUNSEL FOR CROSSCLAIM PLAINTIFF PCS PHOSPHATE COMPANY, INC.</p>
<p><u>/s/ William W. Pollock</u> WILLIAM W. POLLOCK N.C. Bar No. 19381 CRANFILL SUMNER & HARTZOG LLP Post Office Box 27808 Raleigh, NC 27611-7808 Telephone: (919) 828-5100 Facsimile: (919) 828-2277 Email: wpollock@cshlaw.com</p> <p><u>/s/ Daniel M. Darragh</u> DANIEL M. DARRAGH Pa. Bar No. 34076 Attorneys for Plaintiff COHEN & GRIGSBY, P.C. 625 Liberty Avenue Pittsburgh, PA 15222-3125 Telephone: (412) 297-4718 Facsimile: (412) 209-1940 Email: ddarragh@cohenlaw.com</p> <p>COUNSEL FOR PLAINTIFF CONSOLIDATION COAL COMPANY</p>	

Counsel for Defendants:

/s/ Jane E. Fedder

Jane E. Fedder
Joseph G. Nassif
Husch Blackwell Sanders, LLP
190 Carondelet Plaza, Suite 600
St. Louis, MO 63105
314-4801500 / 314-4801505 (fax)
jane.fedder@huschblackwell.com
joseph.nassif@huschblackwell.com

/s/ Julia S. Bright

Julia S. Bright
John S. Slosson
Nelson Mullins Riley & Scarborough, LLP
100 North Tryon Street, Bank of America
Corporate Ctr. , Suite 4200
Charlotte, NC 28202-4007
704-417-3136 / 704-417-3249 (fax)
julia.bright@nelsonmullins.com
jack.slosson@nelsonmullins.com

Counsel for Atlantic City Electric Company; Blue Ridge Electric Cooperative, Inc.; Broad River Electric Cooperative, Inc.; Cargill, Incorporated; Consumers Energy Company; Danny Corporation; Delmarva Power & Light Company; Dixon Lumber Company, Inc.; Electric Control Equipment Co.; Electric Equipment Corporation of Virginia; Florida Power & Light Company; GKN Driveline North American, Inc.; General Electric Company; Gladioux Trading & Marketing Co., LP, and/or Limited Corporation; Glenwood Resolution Authority, Inc.; LWB Refractories Company; Occidental Chemical Corporation; Pharmacia Corporation; Potomac Electric Power Company; Sonoco Products Company; Southland Electrical Supply, Inc.; St. Joseph Medical Center, Inc.; T and R Electric Supply Company, Inc.; Tri-State Armature & Electrical Works, Inc.; Unimin Corporation; and United Technologies Corporation

<p><u>/s/ Donald J. Camerson, II</u> Donald J. Camerson, II NJ State Bar No. 012921990 Kirstin K. O'Callaghan NJ State Bar No. 028612005 Bressler, Amery & Ross, P.C. 325 Columbia Turnpike Florham Park, NJ 07932 Phone: (973) 514-1200 Fax: (973) 514-1660 djcamerson@bressler.com kocallaghan@bressler.com</p> <p><i>Attorneys by Special Appearance for Defendants 3M Company & Kraft Foods Global, Inc.</i></p> <p>and</p> <p><u>/s/ John W. Bowers</u> John W. Bowers NC State Bar No. 24133 D. Christopher Osborn NC State Bar No. 22237 Horack Talley 2600 One Wachovia Center 301 South College Street Charlotte, NC 28202 jbowers@horacktalley.com cosborn@horacktalley.com Phone: (704) 377-2500 Fax: (704) 372-2619</p> <p><i>LR 83.1 Counsel for Defendants 3M Company & Kraft Foods, Global, Inc.</i></p>	<p><u>/s/ Patrick A. Genzler</u> Patrick A. Genzler NC State Bar No. 23737 Vandeventer Black LLP 101 West Main St. 500 World Trade Center Norfolk, VA 23510 Phone: (757) 446-8600 pgenzler@vanblk.com</p> <p>and</p> <p>Norman W. Shearin NC State Bar No. 3956 Vandeventer Black LLP P.O. Box 2599 Raleigh, NC 27602-2599 Phone: (919) 754-1171 nshearin@vanblk.com</p> <p><i>Attorneys for Defendant Cape Hatteras Electric Membership Corporation</i></p>
----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

<p>Troutman Sanders LLP</p> <p><u>/s/ Gavin B. Parsons</u> Gavin B. Parsons NC State Bar No. 28013 Post Office Drawer 1389 Raleigh, NC 27602 Phone: (919) 835-4107 Fax: (919) 829-8715 Gavin.parsons@troutmansanders.com</p> <p>and</p> <p>Daniel S. Reinhardt GA State Bar No. 600350 Hollister A. Hill GA State Bar No. 003910 Jeffrey J. Hayward GA State Bar No. 159051 5200 Bank of America Plaza 600 Peachtree Street, N.E. Atlanta, GA 30308-2216 Phone: (404) 885-3084 Fax: (404) 962-6679 Daniel.reinhardt@troutmansanders.com Hollister.hill@troutmansanders.com Jeff.hayward@troutmansanders.com</p> <p><i>Attorneys for Georgia Power Company, individually and as successor-in-interest to Savannah Electric and Power Company</i></p>	<p><u>/s/ Andrea L. Rimer</u> Andrea L. Rimer GA State Bar No. 605735 600 Peachtree St., NE, Suite 5200 Atlanta, GA 30308-2216 Phone: (404) 885-3265 Fax: (404) 962-6669 andrea.rimer@troutmansanders.com <i>Attorneys for Virginia Electric and Power Company</i></p> <p>and</p> <p><u>/s/ D. Kyle Deak</u> Patricia P. Kerner NC State Bar No. 13005 D. Kyle Deak NC State Bar No. 35799 434 Fayetteville Street Two Hannover Square, Suite 1900 Raleigh, NC 27601 Phone: (919) 835-4100 Fax: (919) 835-4101 tricia.kerner@troutmansanders.com kyle.deak@troutmansanders.com</p> <p><i>LR 83.1 Counsel for Virginia Electric and Power Company</i></p>
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

<p><u>/s/ Joseph P. Williams</u> Joseph P. Williams Ryan K. McKain Shipman & Goodwin LLP One Constitution Plaza Hartford, CT 06103-1919 Phone: (860) 251-5000 Fax: (860) 251-5318 jwilliams@goodwin.com Connecticut Juris No. 57385</p> <p><i>Attorney for Defendant Bonner Electric, Inc.</i></p> <p>and</p> <p><u>/s/ H. Clay Hodges</u> H. Clay Hodges, NCSB #29270 Donald J. Harris Harris, Winfield, Sarratt & Hodges, LLP 1620 Hillsborough Street Suite 200 Raleigh, NC 27605 Phone: (919) 546-8788 chodges@harriswinfield.com</p> <p><i>LR 83.1 Counsel for Bonner Electric, Inc.</i></p>	<p><u>/s/ Jacob H. Wellman</u> Henry W. Gorham NC State Bar No: 6174 Jacob H. Wellman N.C. State Bar No.: 28853 Teague Campbell Dennis & Gorham LLP P.O. Box 19207 Raleigh, NC 27619-9207 Phone: (919) 873-0166 hgorham@tedg.com jwellman@tedg.com</p> <p><i>Attorneys for Defendant Royal Street Junk Company, Inc.</i></p>
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

/s/ R. Steven DeGeorge

R. Steven DeGeorge
Robinson, Bradshaw & Hinson, PA
101 North Tryon Street
Suite 1900
Charlotte, NC 28246-1900
sdegeorge@rbh.com

***Attorneys for Bruce-Merrilees Electric Co.,
Conoco Phillips Company, Monongahela
Power Co., CBS Corporation, West Penn
Power Co.***

/s/ Carson Carmichael

Carson Carmichael
NC State Bar #9734
David S. Coats
NC State Bar #16162
Bailey & Dixon, LLP
P.O. Box 1351
Raleigh, NC 27602
Phone: (919) 828-0731
Fax: (919) 828-6592

and

Dennis J. Conniff
Kentucky State Bar #14150
Amy D. Cubbage
Kentucky Bar #86902
Frost Brown Todd LLC
400 West Market St., 32nd Floor
Louisville, Kentucky 40202
Phone: (502) 589-5400
Fax: (502) 581-1087
dconniff@fbtlaw.com
acubbage@fbtlaw.com

***Attorneys for East Kentucky Power
Cooperative, Inc.***

<p><u>/s/ Nicholas J. Voelker</u> Nicholas J. Voelker, NC Bar No. 35841 Bradley Arant Boult Cummings, LLP Bank of America Corporate Center 100 N. Tryon Street, Suite 2690 Charlotte, NC 28202 Phone: (704) 332.8842 Fax: (704) 332.8858 nvoelker@babco.com</p> <p>LR 83.1 Counsel City of Huntsville d/b/a Huntsville Utilities</p> <p>And</p> <p><u>/s/ Benjamin L. McArthur</u> Benjamin L. McArthur AL State Bar No. ASB-1049-B61M</p> <p><u>/s/ E. Cutter Hughes</u> E. Cutter Hughes AL State Bar No. ASB-2272-E67E Bradley Arant Boult Cummings LLP 200 Clinton Avenue West, Suite 900 Huntsville, AL 35801-4900 Phone: 256.517.5100 Fax: 256.517.5200 bmcarthur@babco.com chughes@babco.com</p> <p>LR 83.1 Special Counsel for City of Huntsville d/b/a Huntsville Utilities</p>	<p><u>/s/ Joel Herz</u> Joel L. Herz AZ State Bar No. 015105 Law Offices of Joel L. Herz 3573 East Sunrise Drive, Suite 215 Tucson, AZ 85718 Phone: (520) 529-8080 Fax: (520) 529-8077 joel@joelherz.com</p> <p>Attorney by Special Appearance for Defendant NL Industries, Inc.</p> <p>and</p> <p><u>/s/ Paul Klein</u> Paul Klein NC State Bar No. 18636 Klein & Freeman, PLLC 4521 Sharon Road, Suite 150 P.O. Box 221648 Charlotte, NC 28222-1648 Phone: (704) 442-0660 Fax: (704) 364-2295 paulklein@kleinfreeman.com</p> <p>— LR 83.1 Counsel</p> <p>Attorney for Defendant NL Industries, Inc.</p>
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

<p><u>/s/ Susan H. Briggs</u> Susan H. Briggs NC State Bar No. Dickie, McCamey & Chilcote, P.C. 2115 Rexford Road, Suite 210 Charlotte, NC 28211 Phone: 704.998.5184 sbriggs@dmclaw.com</p> <p>and</p> <p><u>/s/ Peter T. Stinson</u> Peter T. Stinson, Esquire P.A.I.D. No.: 39044 Dickie McCamey & Chilcote, PC Two PPG Place, Suite 400 Pittsburg, PA 15222-5402 Phone: 412.392.5432 pstinson@dmclaw.com</p> <p><i>Attorneys for Carlisle Syntec Incorporated and PPG Industries, Inc.</i></p>	<p><u>/s/ Kurt J. Olson</u> Kurt J. Olson Law Office of Kurt J. Olson, PLLC 3737 Glenwood Avenue, Suite 100 Raleigh, NC 27612 Phone: 919-573-6172 Fax: 919-573-6173 kurt.j.olson@gmail.com</p> <p><i>Attorney for Arkema, Inc., BASF Corp., Stauffer management Co. on behalf of Bayer CropScience, Inc., CSX Residual Co., Duquense Light Co., Sara Lee Corp., Chemical Products, Corp., Sumter Electric Cooperative, Inc., Mid American Energy Co., Norfolk Southern Railway Co., Haines & Kibblehouse, Inc., South Central Power Co., General Extrusions, Inc., Cooper Tire and Rubber Co., American Skiing Co., Appalachian Power Co., Kingsport Power Co., International Paper Co., Kobe Copper Products, Inc., Environmental Protection Services, Inc., Jessop Steel, LLC, Foremost Electric and Transmission, Inc., Holladay Property Services, Midwest, Inc. (aka Holladay Corp.), Erachem Comilog</i></p>
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

<p><u>/s/ Kurt J. Olson</u> Kurt J. Olson Law Office of Kurt J. Olson, PLLC 3737 Glenwood Avenue, Suite 100 Raleigh, NC 27612 Phone: 919-573-6172 Fax: 919-573-6173 kurt.j.olson@gmail.com</p> <p>John S. EllenHahn Robert B. Cordle Mayer Brown LLP 1999 K Street NW Washington, DC 20006 202-263-3346 202-236-5346 (fax) jhahn@mayerbrown.com</p> <p><i>Attorney for Defendant Frontier Communications Corp., f/k/a Citizens Communications Company</i></p>	<p><u>/s/ Ronald E. Cardwell</u> Ronald E. Cardwell NC State Bar No. 17027 McNair Law Firm, P.A. 104 South Main St., Suite 700 P.O. Box 447 Greenville, SC 29602 Phone: (864) 271-4940 Fax: (864) 271-4015 rcardwell@mcnair.net</p> <p>and</p> <p>Lee W. Zimmerman Ethan R. Ware McNair Law Firm, P.A. 1301 Gervais St., 17th Floor P.O. Box 11390 Columbia, 29211 Phone: (803) 799-9800 Fax: (803) 753-3219 lzimmerman@mcnair.net eware@mcnair.net</p> <p><i>Attorneys for Furman University, Intertape Polymer Group, Lafarge Mid-Atlantic and Owen Electric Steel</i></p>
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

<p><u>/s/ Gregory J. Lucht</u> Kevin D. Margolis, OHSB #0042043 Gregory J. Lucht, OHSB #0075045 Benesch, Friedlander, Coplan & Aronoff, LLP 200 Public Square, Ste. 2300 Cleveland, OH 44114-2378 Phone: (216) 363-4511 Fax: (216) 363-4588 kmargolis@beneschlaw.com glucht@beneschlaw.com</p> <p><i>Attorneys for Defendant Green Circle Growers, Inc.</i></p> <p>and</p> <p><u>/s/ Steven K. McCallister</u> Kieran J. Shanahan, NCSB #13329 Steven K. McCallister, NCSB #25532 Shanahan Law Group, PLLC 128 E. Hargett Street, Third Floor Raleigh, NC 27601 Phone: (919) 856-9494 Fax: (919) 856-9499 kieran@shanahanlawgroup.com smccallister@shanahanlawgroup.com</p> <p><i>LR 83.1 Counsel for Defendant Green Circle Growers, Inc.</i></p>	<p><u>/s/ Herman L. Fussell</u> Herman L. Fussell, Georgia SB #281100 Shapiro Fussell Wedge & Martin, LLP One Midtown Plaza, Suite 1200 1360 Peachtree St. Atlanta, GA 30309 Phone: (404) 870-2201 Fax: (404) 870-2213</p> <p><i>Attorney for Defendant Cleveland Electric Co.</i></p> <p>and</p> <p><u>/s/ Brian J. Schoolman</u> Brian J. Schoolman, NCSB #26266 Safran Law Offices 120 South Boylan Avenue (27603) Post Office Box 587 Raleigh, North Carolina 27602-0587 Phone: (919) 828-1396 Fax: (919) 828-7993</p> <p><i>LR 83.1 Counsel for Defendant Cleveland Electric Company</i></p>
----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

<p><u>/s/ Timothy J. Bergere</u> Timothy J. Bergere Pennsylvania Attorney I.D. No. 39110 Montgomery McCracken 123 South Broad Street Avenue of the Arts Philadelphia, PA 19109-1030 Phone: (215) 772-1500 / Fax: (215) 772-7620 tbergere@mmwr.com</p> <p><i>Attorneys by Special Appearance for Defendant Carr & Duff, Inc.</i></p> <p>And</p> <p><u>/s/ Mason Avrigian, Jr.</u> Mason Avrigian, Jr. Pennsylvania Attorney I.D. No. 51647 Jeffrey P. Wallack Pennsylvania Attorney I.D. No. 69112 Wisler Pearlstine, LLP 484 Norristown Road, Suite 100 Blue Bell, PA 19422-2326 Phone: (610) 825-8400 / Fax: (610) 828-4887 mavrigian@wispearl.com jwallack@wispearl.com</p> <p><i>Attorneys by Special Appearance for Defendant Carr & Duff, Inc.</i></p> <p>and</p> <p><u>/s/ E. Hardy Lewis</u> E. Hardy Lewis NC Bar No. 18282 Blanchard, Miller, Lewis & Styers, P.A. 1117 Hillsborough Street Raleigh, NC 27603 Phone: (919) 747-8107 / Fax: (919) 755-3994 hlewis@bmlslaw.com</p> <p><i>Local Rule 83.1 Counsel for Defendant Carr & Duff, Inc.</i></p>	<p><u>/s/ Donald H. Beskind</u> Donald H. Beskind NC State Bar No. 8138 beskind@nctrial.com</p> <p><u>/s/ Jesse H. Rigsby, IV</u> Jesse H. Rigsby, IV NC State Bar No. 35538 rigsby@nctrial.com Twiggs Beskind Strickland & Rabenau, PA Wachovia Capital Center 150 Fayetteville Street, Suite 1100 Raleigh, NC 27601 Phone: (919) 828-4357 Fax: (919) 833-7924</p> <p><i>LR 83.1 Counsel Defendant Union Electric Company</i></p> <p>and</p> <p><u>/s/ Joseph F. Madonia</u> Joseph F. Madonia IL State Bar No. 6190852 madonia@wildman.com</p> <p><u>/s/ Meghan M. Hubbard</u> Meghan M. Hubbard IL State Bar No. 6275155 hubbard@wildman.com Wildman, Harrold, Allen & Dixon, LLP 225 W. Wacker Drive, Suite 2800 Chicago, IL 60606 Phone: (312) 201-2810 Fax: (312) 201-2555</p> <p><i>Attorneys for Union Electric Company</i></p>
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

<p><u>/s/ Joel A. Kramer</u> Joel A. Kramer District of Maryland Bar No.: 04224 14501 Sweitzer Lane, 12th Floor Laurel, MD 20707 Phone: (301) 206-8159 Fax: (301) 206-8157 jkramer@wssewater.com</p> <p><i>Attorney for Defendant Washington Suburban Sanitary Commission</i></p>	<p><u>/s/ William H. Harkins, Jr.</u> William H. Harkins, Jr. John C. Millberg Millberg Gordon Stewart PLLC 1101 Haynes Street, Suite 104 Raleigh, NC 27604 wharkins@mgsattomeys.com jmillberg@mgsattorneys.com</p> <p>Brian K. Lewallen Julie S. Solmer Stine Caterpillar Inc., - Legal Services Division 100 N.E. Adams St. Peoria, IL 61629-6485 309-675-1553 309-494-1467 (fax) lewallen_brian_k@cat.com stine_julie_s@cat.com</p> <p><i>Attorney for Defendant Caterpillar Inc.</i></p>
<p><u>/s/ John A. Sheehan</u> John A. Sheehan R. Dennis Fairbanks Hunton & Williams, LLP 1900 K Street, N.W. Washington, D.C. 20006 Phone: (202) 955-1939 jsheehan@hunton.com dfairbanks@hunton.com</p> <p><i>Attorney for Defendants Alcoa, Inc. & Tredegar Film Products Corporation</i></p>	<p><u>/s/ Marc J. Wojciechowski</u> Marc J. Wojciechowski TX State Bar No. 21844600 Wojciechowski & Associates, P.C. 17447 Kuykendahl Road, Suite 200 Spring, Texas 77379 Phone: (281) 999-7774 Fax: (281) 999-1955 marc@wojlaw.com</p> <p><i>Attorneys for Defendant Ventech Equipment, Inc.</i></p> <p><u>/s/ Scott Brown</u> Scott Brown Brown, Crump, Vanore & Tierney, LLP 421 Fayetteville Street, Suite 1601 Raleigh, North Carolina 27601 Phone: (919) 835-0909 Fax: (919) 835-0915 SBrown@bevltlaw.com</p> <p><i>L.R. 83.1 Counsel for Defendant Ventech Equipment, Inc.</i></p>

<p><u>/s/ William A. White</u> William A. White NC State Bar No. 21484 Moore & Van Allen, PLLC 100 North Tryon St., Suite 4700 Charlotte, NC 28282-4003 Phone: (704) 331-1098 Fax: (704) 378-2098 billwhite@mvalaw.com</p> <p><u>/s/ David E. Fox</u> David E. Fox (N.C. Bar No. 10332) Michael J. Byrne (N.C. Bar No. 23577) Moore & Van Allen, PLLC P.O. Box 13706 Research Triangle Park, NC 27709 Phone: (919) 286-8000 Fax: (919) 286-8199 davidfox@mvalaw.com michaelbyrne@mvalaw.com</p> <p><i>Attorneys for Defendants Martin Marietta Materials, Inc.; North Carolina State University; Nucor Corp.; University of North Carolina at Chapel Hill; Town of Blackstone, Virginia; City of Dover, Delaware and Wartburg College</i></p>	<p><u>/s/ Zackary D. Knaub</u> Stephen L. Gordon Zackary D. Knaub Beveridge & Diamond, PC 477 Madison Ave., 15th Floor New York, NY 10022-5802 Phone: (212) 702-5400 zknaub@bdlaw.com</p> <p><u>/s/ David E. Fox</u> David E. Fox 430 Davis Drive Suite 500 Morrisville, NC 27560-6832 davidfox@mvalaw.com</p> <p><i>Attorneys for Defendant Cogentrix Energy, LLC</i></p>
------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

/s/ Robert O. Renbarger

Robert O. Renbarger
TX State Bar No. 16768100
Fritz, Byrne, Head & Harrison, PLLC
98 San Jacinto Blvd., Suite 2000
Austin, TX 78701
Phone: (512) 476-2020
Fax: (512) 477-5267
bob@tbhh.com

***Attorney by Special Appearance for
Defendant CHRISTUS Health Northern
Louisiana***

/s/ Curtis L. Bentz

Curtis L. Bentz
NC State Bar No. 19733
Battle, Winslow, Scott & Wiley, PA
2343 Professional Drive
P.O. Box 7100
Rocky Mount, NC 27804-0100
Phone: (252) 937-2200
Fax: (252) 937-8100
cbentz@bwsww.com

***LR 83.1 Counsel for Defendant CHRISTUS
Health Northern Louisiana***

/s/ Bret W. Jedelev

Bret W. Jedelev
RI State Bar No. 6053
Chace, Rutenberg & Freeman, LLP
One Park Row, Suite 300
Providence, RI 02903
Phone: (401) 503-6411
Fax: (401) 503-6411
bjedelev@crlllp.com

***Attorneys for Defendant Jet Electric Motor
Company, Inc.***

/s/ James F. Hopf

James F. Hopf
NC State Bar No. 13551
Hopf & Highley, P.A.
1694 E. Arlington Blvd., Suite E
Greenville, NC 27858
Phone: (252) 756-1883
Fax: (252) 756-1797
jim@hopfhighley.com

***LR 83.1 Counsel for Defendant Jet Electric
Company, Inc.***

<p>Wyrick Robbins Yates & Ponton, LLP</p> <p><u>/s/ Grady L. Shields</u> Grady L. Shields NC State Bar No. 13101 4101 Lake Boone Trail, Suite 300 Raleigh, NC 27607-7506 Phone: (919) 781-4000 Fax: (919) 781-4865 gshields@wyrick.com</p> <p><i>LR 83.1 Special Counsel for Defendant Koch Industries</i></p> <p>Lathrop & Gage, LLP</p> <p><u>/s/ Jessica E. Merrigan</u> Jessica E. Merrigan MO State Bar No. 54982 Thomas A. Ryan MO State Bar No. 32437 2345 Grand Blvd., Suite 2800 Kansas City, MO 64108 Phone: (816) 460-5706 Fax: (816) 292-2001 jmerrigan@lathropgage.com tryan@lathropgage.com</p> <p><i>Attorneys by Special Appearance for Defendant Koch Industries</i></p>	<p><u>/s/ David J. Mazza</u> David J. Mazza NC State Bar No. 26082 Womble Carlyle Sandridge & Rice, PLLC One West Fourth Street Winston-Salem, NC 27101 Phone: (336) 728-7031 dmazza@wcsr.com <i>Attorney for Defendant Veolia Environmental Services Waste-to-Energy f/k/a Montenay Power Corporation</i></p> <p><u>/s/ Scott Lewis</u> Scott Lewis NC State Bar No. 22167 Hedrick, Gardner, Kincheloe & Garofalo, L.L.P. 1838 sir Tyler Drive, Suite 200 Wilmington, NC 28405 Phone: (910) 509-9664 Fax: (910) 509-9630 slewis@hedrickgardner.com <i>Attorney for Defendant Dean's Light Box, Inc.</i></p>
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

<p>POYNER SPRUILL, LLP</p> <p><u>/s/ Keith H. Johnson</u></p> <p>Keith H. Johnson NC State Bar No. 177885 Andrew H. Erteschik NC State Bar No. 35269 Poyner Spruill, LLP 301 Fayetteville Street, Suite 1900 Raleigh, NC 27601 Phone: (919) 783-1013 Fax: (919) 783-1075 kjohnson@poynerspruill.com aerteschik@poynerspruill.com</p> <p><i>Attorneys for Defendants Dorey Electric Co., Town of Louisburg, North Carolina Department of Agriculture and Consumer Services, North Carolina Department of Health & Human Services (named as: Cherry Hospital, Central Regional Hospital and O'Berry Neuro-Medical Center), Phoenix Solutions Co. and Peace College of Raleigh, Inc.</i></p>	<p><u>/s/ Charles K. Douthwaite</u> Charles K. Douthwaite WA State Bar No. 9246 P.O. Box 9777 Federal Way, WA 98063-9777 Phone: (253) 924-2803 Fax: (253) 928-2184 Charlie.douthwaite@weyerhaeuser.com</p> <p><i>Attorneys for Defendant Weyerhaeuser Company</i></p> <p><u>/s/ Scott C. Hart</u> Scott C. Hart NC State Bar No. 1906 Sumrell, Sugg, Carmichael, Hicks & Hart, P.A. Post Office Drawer 889 New Bern, NC 28563 Phone: (252) 633-3131 Fax: (252) 633-3507 shart@nclawyers.com</p> <p><i>LR 83.1 Counsel for Defendant Weyerhaeuser Company</i></p>
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

<p><u>/s/ Joan W. Hartley</u> Marcus A. Manos NC State Bar No. 21783 Joan Wash Hartley NC State Bar No. 36361 William T. Lavender, Jr. S.C. State Bar No. 3143 Nexsen Pruet, LLC 1230 Main Street, Suite 700 P.O. Box 2426 Columbia, SC 29201 Phone: (803) 771-8900 mmanos@nexsenpruet.com jhartley@nexsenpruet.com tlavender@nexsenpruet.com</p> <p>Russell S. Warner Marissa A. Savastana MacDonald, Illig, Jones & Britton, LLP 100 State Street, Suite 700 Erie, PA 16507-1459 msavastana@mijb.com rwarner@mijb.com Phone: (814) 870-7600</p> <p><i>Attorneys for Defendant Warren Electric Cooperative</i></p>	<p><u>/s/ Joan W. Hartley</u> Marcus A. Manos NC State Bar No. 21783 Joan Wash Hartley NC State Bar No. 36361 William T. Lavender, Jr. S.C. State Bar No. 3143 Nexsen Pruet, LLC 1230 Main Street, Suite 700 P.O. Box 2426 Columbia, SC 29201 Phone: (803) 771-8900 mmanos@nexsenpruet.com jhartley@nexsenpruet.com tlavender@nexsenpruet.com</p> <p>Cynthia M. Currin NC State Bar No. 9184 Crisp, Page & Currin, LLP 4010 Barrett Drive, Suite 205 Raleigh, NC 27609 Phone: (919) 791-0009 ccurrin@cpclaw.com</p> <p><i>Attorneys for Defendant Bedford Rural Electric Cooperative, Inc.</i></p>
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

/s/ Joan Wash Hartley

Marcus A. Manos
NC State Bar No. 21783
Joan Wash Hartley
NC State Bar No. 36361
William T. Lavender, Jr.
S.C. State Bar No. 3143
Nexsen Pruet, LLC
1230 Main Street, Suite 700
P.O. Box 2426
Columbia, SC 29201
Phone: (803) 771-8900
mmanos@nexsenpruet.com
jhartley@nexsenpruet.com
tlavender@nexsenpruet.com

***Attorneys for Defendants Greenwood Mills,
Inc., Palmetto Electric Cooperative, Inc., and
Santee Electric Cooperative, Inc.***

/s/ Joan W. Hartley

Marcus A. Manos
NC State Bar No. 21783
Joan Wash Hartley
NC State Bar No. 36361
William T. Lavender, Jr.
S.C. State Bar No. 3143
Nexsen Pruet, LLC
1230 Main Street, Suite 700
P.O. Box 2426
Columbia, SC 29201
Phone: (803) 771-8900
mmanos@nexsenpruet.com
jhartley@nexsenpruet.com
tlavender@nexsenpruet.com

David Bates
Gardere Wynne Sewell, LLP
1000 Louisiana, Suite 3400
Houston, TX 77002
Phone: (713) 276-5355
dbates@gardere.com

***Attorneys for Defendants IES Commercial,
Inc., and Integrated Electrical Services, Inc.***

<p><u>/s/ Bonnie Allyn Barnett</u> Bonnie Allyn Barnett Joshua Kaplowitz Drinker Biddle & Reath, LLP One Logan Square 18th & Cherry Streets Philadelphia, PA 19103 Phone: (215) 988-2700 Fax: (215) 988-2757 Bonnie.barnett@dbr.com Joshua.kaplowitz@dbr.com</p> <p><u>/s/ Sara W. Higgins</u> Sara W. Higgins Higgins Law Firm, PLLC 6525 Morrison Blvd., Suite 402 Charlotte, NJ 28211 Phone: (704) 366-4607 Fax: (704) 749-9451 sally@thehigginslawfirm.com</p> <p><i>Attorneys for Defendants PPL Electric Utilities Corp, Niagara Mohawk Power Corp. and Trap Rock Industries, Inc.</i></p>	<p><u>/s/ William E. Hvidsten</u> William E. Hvidsten CA Bar No. 113030 P.O. Box 13222 Sacramento, CA 95813-6000 Phone: (916) 351-8524 Fax: (916) 355-3603 William.hvidsten@gencorp.com Attorney for Defendant Buist Electric, Inc. Gencorp, Inc.</p> <p><u>/s/ Curtis L. Bentz</u> Curtis L. Bentz NC State Bar No. 19733 Battle, Winslow, Scott & Wiley, P.A. P.O. Box 7100 Rocky Mount, NC 27804 Phone: (252) 937-2200 Fax: (252) 937-8100 cbentz@bws.com</p> <p><i>LR 83.1 Counsel for Defendant Buist Electric, Inc.</i></p>
----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

<p><u>/s/ F. Bryan Brice, Jr.</u> F. Bryan Brice, Jr. NC State Bar No. 17840 Catherine W. Cralle-Jones NC State Bar No. 23733 Law Offices of F. Bryan Brice, Jr. 19 W. Hargett Street, Suite 600 Raleigh, NC 27601 Phone: (919) 754-1600 Fax: (919) 832-0301 bryan@attybryanbrice.com cathy@attybryanbrice.com</p> <p><u>/s/ Ron Byrd</u> Ron Byrd Federal Bar NO. 06654 Constellation Energy Group, Inc. 100 Constellation Way, 17th Floor Baltimore, MD 21202 Phone: (410) 470-5692 Fax: (443) 213-3682</p> <p><i>Attorneys for Defendant Baltimore Gas & Electric</i></p>	<p><u>/s/ F. Bryan Brice, Jr.</u> F. Bryan Brice, Jr. NC State Bar No. 17840 Catherine W. Cralle-Jones NC State Bar No. 23733 Law Offices of F. Bryan Brice, Jr. 19 W. Hargett Street, Suite 600 Raleigh, NC 27601 Phone: (919) 754-1600 Fax: (919) 832-0301 bryan@attybryanbrice.com cathy@attybryanbrice.com</p> <p><i>Attorneys for Defendant Hudson Light & Power</i></p>
------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

<p><u>/s/ Ben L. Pfefferle III</u> Ben L. Pfefferle III OH State Bar No. 0024297 Gregory R. Flax OH State Bar No. 0081206 Baker & Hostetler LLP 65 East State Street, Suite 2100 Columbus, OH 43215 Phone: (614) 462-2601 Fax: (614) 462-2616 <u>bpfefferle@bakerlaw.com</u> <u>gflax@bakerlaw.com</u></p> <p><i>Special Appearance Counsel for Defendant Guernsey-Muskingum Electric Cooperative, Inc.</i></p> <p><u>/s/ Julia Mimms</u> Julia G. Mimms NC State Bar No. 27978 1001 Elizabeth Avenue, Suite 1A Charlotte, NC 28204 Phone: (704) 333-1301 Fax: (704) 333-1290 <u>jgmassistant@bellsouth.net</u></p> <p><i>Counsel for Defendant Guernsey- Muskingum Electric Cooperative, Inc.</i></p>	<p><u>/s/ Robert S. Adden, Jr.</u> Robert S. Adden, Jr. NC State Bar No. 10223 Ruff, Bond, Cobb, Wade & Bethune, LLP 831 East Morehead Street, Suite 860 Charlotte, NC 28202 Phone: (704) 377-1634 Fax: (704) 342-3308 <u>radden@rbcwb.com</u> <i>LR 83.1 Counsel for Defendant Pactiv Corporation</i></p> <p>Reott Law Offices, LLC</p> <p><u>/s/ Raymond T. Reott</u> Raymond T. Reott IL State Bar No. 3128141</p> <p><u>/s/ Becky J. Schanz</u> Becky J. Schanz</p> <p>35 E. Wacker Drive, Suite 650 Chicago, IL 60601 Phone: (312) 332-7544 Fax: (312) 782-4519 <u>rreott@reottlaw.com</u> <i>Attorneys for Defendant Pactiv Corporation</i></p>
<p><u>/s/ Jeffrey H. Weir II</u> Jeffrey H. Weir III, Esquire OH State Bar No. 0067470 Colella & Weir, P.L.L. 6055 Park Square Drive Lorain, OH 44053 Phone: (440) 988-9013 Fax: (440) 988-9002 <u>jhweir@cnwlaw.com</u></p> <p><i>Attorney for Defendant P.C. Campana, Inc.</i></p>	<p><u>/s/ Stanley B. Green</u> N.C. Bar # 25539 Strauch Fitzgerald & Green, P.C. 118 South Cherry Street Winston-Salem, NC 27101 Phone: (336)-837-1064 Fax: (336)-725-8867 Email: <u>sgreen@sfandglaw.com</u></p> <p><i>Attorneys for Duke Energy Carolinas LLC</i></p>

RIKER DANZIG SCHERER HYLAND
PERRETTI LLP

/s/ Jeffrey B. Wagenbach

Jeffrey B. Wagenbach
Stephen W. Smithson
Jaan M. Haus
New Jersey Bar No. 34540
One Speedwell Avenue
Morristown, NJ 07962-1981
Phone: (973) 538-0800
Fax: (973) 538-1984
jwagenbach@riker.com
ssmithson@riker.com
jhaus@riker.com

MARTIN & GIFFORD, PLLC

/s/ William H. Gifford, Jr.

William H. Gifford, Jr.
N.C. State Bar No. 25175
301 North Main Street, Suite 2200
Winston-Salem, NC 27101
Phone: 336-714-0333
Fax: 336-714-0334
bill@martingiffordlaw.com
LR 83.1 Counsel

***Attorneys for Defendant,
G&S Motor Equipment Company, Inc***

/s/ Benjamin F. Sidbury

Benjamin F. Sidbury
NC State Bar No. 28071
Anthony B. Taylor
NC State Bar No. 37220
Alston & Bird LLP
Bank of America Plaza, Suite 4000
101 South Tryon Street
Charlotte, NC 28280
Phone: (704) 444-1000
Fax: (704) 444-1111
ben.sidbury@alston.com
tony.taylor@alston.com

LR 83.1(d) Counsel

Douglas S. Arnold
GA State Bar No. 023208
Kristin Holloway Jones
GA Bar No. 041154
Alston & Bird LLP
One Atlantic Center
2302 West Peachtree Street
Atlanta, GA 30309-3424
Phone: (404) 881-7000
Fax: (404) 881-7777
Doug.arnold@alston.com
Kristin.jones@alston.com

LR 83.1(e) Counsel

***Attorneys for Defendants ECC International,
Inc.; Tennessee Electro Minerals, Inc.;
Union Carbide Corp.; and Vulcan
Construction Materials, L.P.***

/s/ Benjamin F. Sidbury

Benjamin F. Sidbury
NC State Bar No. 28071
Anthony B. Taylor
NC State Bar No. 37220
Alston & Bird LLP
Bank of America Plaza, Suite 4000
101 South Tryon Street
Charlotte, NC 28280
Phone: (704) 444-1000
Fax: (704) 444-1111
ben.sidbury@alston.com
tony.taylor@alston.com

LR 83.1(d) Counsel

Robert D. Mowrey
GA State Bar No. 527510
Kristin Holloway Jones
GA Bar No. 041154
Alston & Bird LLP
One Atlantic Center
2302 West Peachtree Street
Atlanta, GA 30309-3424
Phone: (404) 881-7000
Fax: (404) 881-7777
Bob.mowrey@alston.com
Kristin.jones@alston.com

LR 83.1(e) Counsel

Attorneys for Defendant for North Georgia Electric Membership Corporation

Charles S. Conerly
GA State Bar No. 180720
Smith Diment Conerly, LLP
402 Newnan Street
Carrollton, GA 30117
Phone: (770) 834-1160
Fax: (770) 834-1190
cconerly@smithdiment.com

LR 83.1(e) Counsel

Henry C. Tharpe, Jr.
GA State Bar No. 703250
Sponcler & Tharpe, LLC
P.O. Box 398
225 W. King St.
Dalton, GA 30722-0398
Phone: (706) 278-5211
Fax: (706) 270-9438
hctharpe@sponclerandtharpe.com

LR 83.1(e) Counsel

/s/ Benjamin F. Sidbury

Benjamin F. Sidbury
NC State Bar No. 28071
Anthony B. Taylor
NC State Bar No. 37220
Alston & Bird LLP
Bank of America Plaza, Suite 4000
101 South Tryon Street
Charlotte, NC 28280
Phone: (704) 444-1000
Fax: (704) 444-1111
ben.sidbury@alston.com
tony.taylor@alston.com

LR 83.1(d) Counsel

Robert D. Mowrey
GA State Bar No. 527510
Kristin Holloway Jones
GA Bar No. 041154
Alston & Bird LLP
One Atlantic Center
2302 West Peachtree Street
Atlanta, GA 30309-3424
Phone: (404) 881-7000
Fax: (404) 881-7777
Bob.mowrey@alston.com
Kristin.jones@alston.com

LR 83.1(e) Counsel

***Attorneys for Defendant Northrop Grumman
Shipbuilding, Inc.***

/s/ Benjamin F. Sidbury

Benjamin F. Sidbury
NC State Bar No. 28071
Alston & Bird LLP
Bank of America Plaza, Suite 4000
101 South Tryon Street
Charlotte, NC 28280
Phone: (704) 444-1000
Fax: (704) 444-1111
ben.sidbury@alston.com

LR 83.1(d) Counsel

***Attorneys for Defendant Imerys Carbonates,
LLC***

/s/ John W. Kalich

A. Bruce White
IL Bar No. 2999102
John W. Kalich
IL Bar No. 6193109
Karaganis, White & Magel, Ltd
414 N. Orleans Street, Suite 810
Chicago, IL 60054-4459
Phone: (312) 836-1177
Fax: (312) 836-9083
bwhite@k-w.com
jkalich@k-w.com

***Attorneys by Special Appearance for
Defendant Alcan Primary Products
Corporation***

/s/ Joshua H. Bennett

Richard V. Bennett
NC State Bar No. 6028
Joshua H. Bennett
NC State Bar No. 32576
Bennett & Guthrie, PLLC
1560 Westbrook Plaza Drive
Winston-Salem, NC 27103
Phone: (336) 765-3121
Fax: (336) 765-8622
rbennett@bennett-guthrie.com
jbennett@bennett-guthrie.com

***Attorneys for Defendant Alcan Primary
Products Corporation***

/s/ Debora S. Lasch

Debora S. Lasch
State Bar No. 0040441
Singerman, Mills, Desberg & Kauntz cO.,
L.P.A.
3401 Enterprise Parkway, Suite 200
Beachwood, Ohio 44122
Phone: (216) 292-5807
Fax: (216) 292-5867
dlasch@smdklaw.com

***Attorney for Defendant International Power
Machinery Company***

/s/ Sean M. Sullivan

Sean M. Sullivan
State Bar No. 38957
Williams Mullen
3200 Beechleaf Court, Suite 500
Raleigh, North Carolina 27604
Phone: (919) 981-4312
Fax: (919) 981-4300
Email: ssullivan@williamsmullen.com

***L.R. 83.1 Counsel Defendant International
Power Machinery Company***

<p><u>/s/Bradley M. Risinger</u> Bradley M. Risinger NC State Bar No. 23629 Smith Moore Leatherwood, LLP 434 Fayetteville Street, Suite 2800 (27601) P.O. Box 27525 Raleigh, NC 27611 Phone: (919) 755-8700 Fax: (919) 755-8800 brad.risinger@smithmoorelaw.com</p> <p><i>Attorney for Defendants Apogee Coal Company, LLC and Lockwood's Electric Motor Service, Inc.</i></p>	<p><u>/s/ Dennis Reis</u> Dennis Reis WI Bar No. 1005696 Briggs and Morgan, P.A. 2200 IDS Center 80 South 8th Street Minneapolis, MN 55402 Phone: (612) 977-8877 Fax: (612) 977-8650 dreis@briggs.com</p> <p>Mary Maclean D. Asbill N.C. Bar No. 38936 2818 Exeter Circle Raleigh, N.C. 27609 Phone: (919) 389-2636 Fax: (919) 510-6178 mmasbill@gmail.com</p> <p>L.R. 83.1 Counsel</p> <p><i>Attorneys for Domtar Paper Company, LLC</i></p>
<p><u>/s/ John J. Butler</u> John J. Butler N.C. Bar No. 10820 Parker Poe Adams & Bernstein, LLP 150 Fayetteville Street, Suite 1400 Post Office Box 389 Raleigh, North Carolina 27602 Phone: (919) 828-0564 Fax: (919) 834-4564 jaybutler@parkerpoe.com</p> <p>Kurt J. Olson Law Office of Kurt J. Olson, PLLC 3737 Glenwood Ave., Suite 100 Raleigh, NC 27612 919-573-6172 919-573-6173 (fax) kurt.j.olson@gmail.com</p> <p><i>Attorney for New Southern Rocky Mount, Inc.</i></p>	<p><u>/s/ Todd S. Roessler</u> Todd S. Roessler Kilpatrick Stockton, LLP 3737 Glenwood Ave. Suite 400 Raleigh, NC 27612 919-420-1726 919-510-6121 (fax) troessler@kilpatrickstockton.com</p> <p><i>Attorneys for Bassett Furniture Industries, Inc.</i></p>